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PATS.	TRADEMARK		Application Number 09/484,548			
TRANSMITTAL FORM			Filing Date June 18, 2000			
			First Named Inventor Jules Gauthier			
	orrespondence during pe iled application)	endency of	Group Art Unit Number 3738			
			Examiner Name David J. Isabella			
Total Number of Pag	ges in This Submission	4*	Attorney Docket Number 23488-09172			
	ENCLO	OSURES	(check all that apply)			
ENCLOSURES ☐ Fee Transmittal Form (in duplicate) ☐ Check Enclosed ☐ Return Receipt Postcard ☐ Response to Notice to File Missing Parts ☐ Assignment & Recordation Cover Sheet ☐ Declaration ☐ Power of Attorney ☐ Application Data Sheet ☐ Information Disclosure Statement & PTO/SB/08A ☐ Copies of IDS Cited References ☐ Request for Corrected Filing Receipt ☐ Request for Correction of Recorded Assignment ☐ Amendment/Response: [] Page(s) ☐ After Final ☐ Status Request ☐ Revocation and Substitute Power of Attorney REMARKS: * No. of pages in this Submission does not in		o/SB/08A ces signment	Issue Fee Transmittal Letter to Chief Draftsperson Formal Drawing(s): [] Sheet(s) of Figure(s) [] Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Certified Copy of Priority Document(s) After Allowance Communication to Group			
SIGNATURE OF ATTORNEY OR AGENT						
Signature:		Q	E. C. Smith			
Attorney/Reg. No.:	Albert C. Smith/Reg.	No. 20,355	Dated: 1/21/05			

Signature.							
Attorney/Reg. No.:	Albert C. Smith/Reg. No. 20,355	Dated:	1/21/05				
	CERTIFICATE OF MAILING						
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Express Mail Mailing	Number (optional):						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jules Gauthier et al.

APPLICATION NO.: 09/484,548

FILING DATE: June 18, 2000

TITLE: Microwave Ablation Instrument With Flexible Antenna Assembly

And Method

EXAMINER: David J. Isabella

GROUP ART UNIT: 3738

ATTY. DKT. NO.: 23488-09172

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

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Albert C. Smith, Reg. No.: 20,355

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INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

	after th	ree mo	nths of the filing date of this national application or the date of
	entry o	f the na	tional stage in an international application, or after the mailing
	date of	the firs	st official action on the merits, whichever event last occurred, but
BE	before	the mai	lling date of the first to occur of either: (1) a final action under
		R §1.11	3; or (2) an action that otherwise closes prosecution in the
	applica	ition, ar	nd:
		attach	ed hereto is the fee set forth under 37 CFR §1.17(p) for
		submi	ission of this Information Disclosure Statement under 37 CFR.§
		1.97(e); OR
		Appli	cant certifies pursuant to 37 CFR § 1.97(e) that:
			each item of information contained in this Information
			Disclosure Statement was first cited in a communication from
			a foreign patent office in a counterpart foreign application not
			more than three months prior to the filing of this Statement;
			OR
			no item of information contained in this Information
			Disclosure Statement was cited in a communication from a
			foreign patent office in a counterpart foreign application and,
			to the knowledge of the person signing this certification after
			making reasonable inquiry, no item of information contained
			in this Statement was known to any individual designated
			under 37 CFR § 1.56(c) more than three months prior to the
			filing of this Statement;
	on or	before	the payment of the issue fee but after the mailing date of the first
	to occ	ur of ei	ither: (1) a final action under 37 CFR § 1.113; (2) a notice of
	allow	ance un	ider 37 CFR § 1.311; or (3) an action that otherwise closes
	prosec	cution i	n the application, and:
		Appli	icant certifies pursuant to 37 CFR. § 1.97(e) that:
			each item of information contained in this Information
			Disclosure Statement was cited in a communication from a
			foreign patent office in a counterpart foreign application not
			more than three months prior to the filing of this Statement;
			no item of information contained in this Information
			Disclosure Statement was cited in a communication from a
			foreign patent office in a counterpart foreign application and,
			to the knowledge of the person signing this certification after
			making reasonable inquiry, no item of information contained

under 37 CFR § 1.56(c) more than three months prior	r to the					
filing of this Statement; AND						
attached hereto is the fee set forth under 37 CFR §1.17(p) for	r					
submission of this Information Disclosure Statement under 3	7 CFR.§					
1.97(c); OR						
after the payment of the issue fee. Applicant requests that the inform	nation					
contained in this Information Disclosure Statement be placed in the	file					
according to 37 CFR § 1.97(i), although the information may not be						
considered by the USPTO.						
Enclosed is a copy of each listed reference that may be material to the exam	ination of					
this application, and for which there may be a duty to disclose.						
This application relies, under 35 U.S.C. § 120, on the earlier filing date of p	rior					
application No, filed on, and the references cited therein a	re hereby					
referenced, but are not required to be provided in this application under 37						
1.98(d).	• • •					
This application was filed after June 30, 2003. Therefore, pursuant to the w	aiver of					
the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and	d each					
U.S. Patent Application Publication are not required to be submitted. Copie	es of any					
foreign patent documents and non-patent literature cited herein are enclosed	l .					
Each item of information contained in this Information Disclosure Statemen	nt was					
cited in a communication from a foreign patent office in a counterpart appli	cation,					
and the communication was not received by any individual designated in 37	CFR §					
1.56(c) more than thirty days prior to the filing of this Information Disclosu	1.56(c) more than thirty days prior to the filing of this Information Disclosure					
Statement. 37 CFR § 1.704(d).	Statement. 37 CFR § 1.704(d).					
Applicant submits that no fee is required for the consideration of this Inform	Applicant submits that no fee is required for the consideration of this Information					
Disclosure Statement.						
Consideration of the listed references and favorable action are solicited.						
D						
Respectfully submitted, JULES GAUTHIER ET AL.						
VOLDS GITO TIMER ET TIE.						
Dated: Dated: Z O S By: Albert C. Smith, Reg. No.: 20,355						
Fenwick & West LLP						
801 California Street						
Mountain View, CA 94041						
Tel.: (650) 335-7296 Fax: (650) 938-5200						

Substitute for form 1449A/PTO				Complete if Known		
INFO	INFORMATION DISCLOSURE			Application No.	09/484,548	
INFORMATION DISCLOSURE				Filing Date	June 18, 2000	
STATEMENT BY APPLICATION			• •	First Named Inventor	Jules Gauthier	
			4	Art Unit	3738	
			- 1	Examiner Name	David J. Isabella	
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			U.S. PATENT I	DOCUMENTS	
		Document No.			
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US-6,663,622 B1	12-16-2003	Foley et al.	
	<u> </u>		FOREIGN PATEN	IT DOCUMENTS	
		Foreign Patent Document			
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶		
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